

STEAMER TABLE.	
From San Francisco:	
Alameda	Feb. 5
Korea	Feb. 9
For San Francisco:	
Alameda	Jan. 30
China	Feb. 9
From Vancouver:	
Aorangi	Feb. 13
For Vancouver:	
Mowera	Feb. 17

COLORED COMIC SUPPLEMENT EVENING BULLETIN

3:30 O'CLOCK NEXT SATURDAY EDITION

Beware of irresolution in the intent of thy actions; beware of instability in the execution—
ADVERTISE
in the
BULLETIN.

VOL. XV. No. 2675

HONOLULU, TERRITORY OF HAWAII, FRIDAY, JANUARY 29, 1904

PRICE 5 CENTS

Smithies' Acts Void, Says De Bolt, In Insurance Suit

Hearing on order for the Fidelity Insurance Company to show cause why its license should not be revoked for reasons set forth in a lengthy complaint, stating that false statements had been made in regard to the company's finances, came up before Judge De Bolt at 9:30 o'clock this morning.

Attorney General Lorin Andrews and Deputy Attorney General W. S. Fleming appeared for George E. Smithies, Deputy Insurance Commissioner, who brought the suit to revoke the Fidelity's charter and Robertson & Wilder were present for the defendant corporation.

Attorney A. G. M. Robertson presented a motion to quash the summons and the order to show cause, arguing the matter at length. Andrews presenting argument also. Judge De Bolt rendered an oral decision, granting the motion to quash, the grounds appearing as follows in the motion:

1. That no legal or proper application has been filed by the Insurance Commissioner.
2. That it appears by the affidavit of George E. Smithies that he, as the alleged Deputy Insurance Commissioner, had no right or authority to do or perform any act, matter or thing alleged to have been done or performed by him in his said affidavit, and that he has no right to make any application for the revocation of the Charter of said Fidelity Insurance Company.
3. That this court had no jurisdiction to issue said summons or order to show cause.

Robertson, showed that, under the act providing for the insurance commissioner, and his deputy, the deputy insurance commissioner had no authority to take upon himself the peculiar duties of the commissioner except in the absence of the latter or during his inability, for any other reason, to act.

Smithies had no right to institute the proceedings in court for the revocation of the Fidelity Company's charter. In fact, he had no right to issue a certificate of authority to the corporation in the first place.

Under the ruling of the court in the present instance the certificate issued by Smithies is not worth the paper it is written on. Such documents must be signed by Insurance Commissioner A. N. Kepikal.

Motion to quash the summons and the order to show cause was granted for the reason that Deputy Insurance Commissioner Smithies did not show that he was acting for the Commissioner during his absence or his inability to act. Smithies brings the suit in his own name, as Deputy Insurance Commissioner, when he has no power under the act so to do.

Under the ruling of this morning all certificates of authority issued by Smithies to insurance companies are null and void, certificates requiring the signature of the Commissioner himself.

In the lengthy complaint filed against the Fidelity Company, Mr. Smithies states his actions in relation to the examination of the books of the defendant corporation and other acts from the issuance of the certificate of authority to the instituting of the court proceedings so suddenly terminated, as far as Smithies is concerned, before Judge De Bolt this morning.

It has been a matter of putting the cart before the horse in the conduct of the business of the Insurance Commissioner's office.

The deputy, Mr. Smithies, has taken the initiative and headed affairs in transactions which, according to the law and the decision of Judge De Bolt today quashing the summons, are necessarily void and invalid. The deputy commissionship is designed, it is understood by careful readers of the act, as a clerical position and not an office of authority. Therefore authoritative acts, acts sought to be authorized, are null and void.

(Continued on Page 4.)

Photographs Taken Years Ago

Are family treasures now. Like the family silver and china, their priceless value lies in being family heirlooms.

Your photo and those of the children ought to be preserved.

Our up-to-date work will do you full justice.

RICE & PERKINS,
OREGON BLOCK.

THE 999TH DEGREE AND HOW
SIMON INITIATED HIS PA IS DEMONSTRATED IN TOMORROW'S COMIC SUPPLEMENT.

LAND COURT'S FIRST DEGREE

The Court of Land Registration has issued its first certificate of title. Certificate No. 1, made out to Mrs. Ida B. Castle, is now on file in the office of Assistant Registrar Thos. C. Thrum and a copy of the first fruits of the Land Court appears below.

This decree, certifying as to title and boundaries of property to which title is assured, settles for all time the facts therein appearing.

The original certificate, below given, remains on file in the office of the Assistant Registrar and an "owner's duplicate" of the certificate is given the one who holds title. Should there be, through accident or otherwise, any points of variance between the owner's duplicate and the original certificate, the latter stands. The original document is the record for all purposes.

The great advantage of this system of land registration is clearly shown by the following facts.

By reference at any time, it might be many years hence, reference to the decree on file, but one sheet of paper needing to be reviewed, the title and any or all encumbrances can be exactly ascertained. The exact condition of the title will be revealed.

In case the land is leased or mortgaged or a portion of it is sold, any of these facts are shown. If leased, a lease certificate is issued; if mortgaged, a mortgage certificate is made out. If a portion of the land is sold, purchaser of that portion receives a certificate of title to the portion purchased and a new certificate of title is given the original owner, to the remainder of the property.

Transfer of property in this way becomes very simple. If made subject to encumbrances this fact appears in the record.

With this system the cost of transfer is about \$3. Under the old system, necessitating examination of title and drawing of deed, recording, stamp duties and other charges, the cost would run from \$50 to \$100 and up. Now a transfer can be secured in half an hour; before months were sometimes spent in the necessary preliminaries. Now the ascertainment of title is easy, quick and simple.

The cost of registering title in the Land Court is about one quarter of one per cent of the assessed value of the property.

Following is a copy of the Land Court's first certificate of title:

(Continued on Page 3.)

YOUNGS AFTER COPPER

Young Brothers are making arrangements to raise and wreck what remains of the old wreck of the Sebastian Bach in the row. The whole wreck is under water. The mud comes up about eight feet on one side and four feet on the other. About one quarter of the vessel, the stern, has already been taken away by other wreckers. The present rise in the price of copper induced the Youngs to tackle the Sebastian Bach as there is still a lot of that valuable metal on the vessel.

F. L. Waldron, the commission man, leaves for the Coast in the China, due to sail February 9. He goes on business.

CURE YOUR COUGH WITH A PLEASANT REMEDY.

Why take a nauseous dose of mixture to cure your cough when there isn't any need of it? It is not necessary to take a medicine that gags and nauseates when you can get the well-known family cough remedy.

Putnam's Cherry Cough Comfort

This medicine is pleasant to take, cures all coughs that are curable, and is safe and pleasant to take. It is the most popular remedy we have ever sold. Customers tell us every day what a good cough cure it is, therefore we feel certain of making no mistake in recommending it. We are conservative druggists and do not recommend everything that comes along. When we tell you a medicine is right depend on this statement. It is always backed up with our "money back" argument. You never take any chances.

25c AND 50c.

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Have your Goods Shipped by
WELLS, FARGO & CO.
EXPRESS

Masonic Temple. Tel. Blue 581.

Hendry AFTER Adachi

Adachi, the Japanese interpreter and conspirator to foster houses of ill fame, and this charge still holds good. The silence of the Federal authorities of recent days has been taken as a sign that the extradition would be allowed to drop.

But such lack of action does not seem to be the plan of those who are interested in the enforcement of the Federal statutes.

This afternoon it was learned that United States Marshal Eugene R. Hendry is expected to leave Honolulu in the America Maru for Yokohama on Sunday evening for the purpose of acting in the extradition of the much-desired Adachi.

It is understood that the papers necessary to the successful conduct of the affair have been received from Washington and that all is in readiness for the Marshal to proceed to the Orient and receive into his custody the man who is alleged to know so much of "ten-dollar club" matters.

Cables have been exchanged between Washington and Yokohama. It is said, relating to Adachi and the latter is either now or is about to be held for delivery to Marshal Hendry on his arrival.

However, the charge on which he was sought to be extradited was one of perjury in connection with one of the many cases of peonage, adultery

SAD SURPRISE UNEARTHED FOR BAND BOYS

When Captain Berger, leader of the Territorial band, drew up his pay roll yesterday afternoon and submitted it to the auditing department he met with a surprise which was genuine.

Without the least suspicion of anything amiss, he prepared the salary list according to the schedule as provided for in the six months' appropriation bill, and there the trouble commenced.

The auditing department pointed out to the Captain that he was allowed \$195.19 per month less with which to pay salaries under the eighteen months' appropriation bill. The six months' bill provided remuneration for 28 bandmen in the sum of \$7,560.00 or at the rate of \$1,310.00 per month. The eighteen months' bill provided remuneration for 27 bandmen in the amount of \$20,067.00, or at the rate of \$1,114.53 per month. This change in the appropriation means a straight reduction of \$7.23 per month per man if the Captain has 27 men, or a reduction of \$7.50 per man if he has 26; he is bound, though, to 27 men, as the appropriation reads "salaries of 27 bandmen."

Bandmaster Berger was not as surprised at this discovery as will be the 27 band boys when they go to receive their salaries tomorrow, the last business day of the month.

Captain Berger has rearranged his pay roll to meet the new requirements, shaving salaries all along the line from a cut of \$15 from the highest salary to a cut of \$2.50 from the lowest. It is possible that some of the boys will demand that the same amount be taken from the salary of each.

The salaries of the bandmaster and the girl singers are not affected, being specifically provided for.

Someone has blundered in making provisions for the band in the eighteen months' bill. Perhaps the next Legislature will make up to the Government musicians what they are now losing.

ANOTHER PEONAGE CASE

United States Commissioner A. F. Judd this morning ordered Yoshiwara held for trial in Federal Court on a charge of peonage. Miamoto and Sato, two others arrested on the same charge, were released on examination.

The steamer Claudine will sail in the place of the Kinai for Hilo and way ports next Tuesday. The steamer Maui will take the Claudine's run to Maui ports. The Kinai is to be laid up for repairs.

Here are the latest creations in a Tropical Hat.

LIGHT, COOL, AIRY.
Weights only 3 ounces

NO FEARS FOR ADA

Fears for the schooner Ada, which left for the French Frigate Shoal on December 15 last for the purpose of salvaging the Connetable de Richemont, are not as general as some would have people believe. She has been away about six weeks and just previous to sailing Captain Weisbarth told a Bulletin reporter he would stay by the vessel he seeks to save for the space of three months or even longer, if necessity should demand. That the Captain meant what he said seems to be well proven by the fact that he took provisions enough to last six

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Russia and Japan Give Statements Of Their Position

ST. PETERSBURG, Russia, Jan. 29.—Further delay has been made by Russia in the transmission of its reply to Japan. The note is now promised for next week.

Both Russia and Japan have sent to the Powers complete statements of their respective positions on the Far Eastern questions.

WON'T FORTIFY KOREAN STRAITS.

PARIS, France, Jan. 29.—It is stated that Japan does not intend to fortify the Straits of Korea. The presumption is that Japan is willing to allow this ocean thoroughfare between the Sea of Japan and the Yellow Sea to remain neutral.

EX-MAYOR AMES FREE.

ST. PAUL, Minn., Jan. 29.—The Supreme Court today handed down a decision which frees ex-Mayor Ames of Minneapolis from custody on technical grounds. Mayor Ames was the head of one of the most corrupt municipal political machines in the West. He fled the city, but was finally arrested in the East and returned to Minneapolis, where he was tried and convicted.

WARNING OF PLANS OF MACEDONIANS.

CONSTANTINOPLE, Turkey, Jan. 29.—Austria and Russia have been warned that the Macedonian committee has promised to reward Albanians for killing foreign officers. The Turkish Government is disposed to represent that the Macedonians themselves will contest the Austria-Russian reform program.

M'KOWEN PLEADS GUILTY.

OAKLAND, Cal., Jan. 29.—W. A. McKowen, secretary of the University of California Board of Regents, pleaded guilty today to the charge of embezzlement.

GERMANS ARE HARD PRESSED.

BERLIN, Germany, Jan. 29.—The native tribes of Southwest Africa are hard pressing the German military garrisons.

SAN FRANCISCO, Cal., Jan. 29.—SUGAR: 96-degree Centrifugals, 3.3125 cents. Previous quotation, 3.33 cents.

FINE FAST FIGHTING

Tickets are going well for the series of fights at the Orpheum on Saturday night and the outlook is promising for a crowded house. The card is one which has met with the general approval of the sporting fraternity and the principals themselves are taking such a great interest in the work that they are doing their very best in the matter of training. Some of the hardest and most clever punches may be confidently looked for.

Today, little groups of sports may be seen around the street corners discussing the events for tomorrow night and of course, there are a great many individual opinions as to the outcome of the principal events. By the majority, Barry, Weday and Latham are looked upon with greatest favor.

WILCOX ESTATE VALUE

Inventory and appraisement of the estate of the late Judge Luther Wilcox made by Cecil Brown, F. Wundenberg and Albert Barnes, was filed this morning, showing \$89,332.50 as the total valuation.

HAWAIIAN AGRICULTURAL.

The annual meeting of the stockholders of the Hawaiian Agricultural Company was held this morning, the following officers being elected: C. M. Cooke, president; Geo. H. Robertson, vice president and manager; E. Faxton Bishop, treasurer and secretary; W. F. Allen, auditor; P. C. Jones, H. Waterhouse and George R. Carter, directors. The reports were read and accepted.

Just previous to the last act of "Carmen" at the Opera House last night, W. F. Jocher, leader of the orchestra, was presented with a Hawaiian shield (job) by the members of the chorus as a mark of appreciation of the work which he did in connection with the opera. The presentation was made by Robert White, Mr. Jocher being garlanded with leis at the same time. The chorus also sent a basket of flowers to Mrs. Turner in token of their appreciation of her work.

Judge Gear yesterday granted non-suit in Rt. Rev. Gulistan F. Robert, trustee, vs. Malle Kamalu Pahao, ejectment.

Edwin Warfield, Governor-elect of Maryland, has been everything from a farmer's hired man to banker. He is rich.

"For Sale" cards at Bulletin office.



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Our new
DRESS
SLIPPER

It is the dictum of dress elegance. Every line in its shape is graceful and beautiful. Made of patent leather with full Louis heel. Sole is hand turned and almost as flexible as a piece of chamois.

It is the fashionable afternoon and evening dress slipper.

Price \$5.50.

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